

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

BENJAMIN J. SCHARLEMANN,)
Plaintiff,)
v.) Case No. 10-cv-351-JPG
DENISE DAUM, GEORGIANNE)
BROUGHTON, MICHAEL TAYLOR,)
JANICE REYNOLDS, and COMMUNITY)
RESOURCE CENTER, INC.,)
Defendants.)

MEMORANDUM & ORDER

This matter comes before the Court on its own initiative for purposes of case management. This case involves *pro se* Plaintiff Benjamin Scharlemann's allegations of wrongful termination under the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. § 12101, *et seq.*

On May 14, 2010, the Court denied Scharlemann's Motion for Leave to Proceed *in Forma Pauperis* (Doc. 2) and Motion to Appoint Counsel (Doc. 3) because his suit, *inter alia*, improperly targeted the agents of his employer, Defendant Community Resource Center, Inc. ("CRC"). (*See* Doc. 4); *U.S. Equal Employment Opportunity Comm'n v. AIC Sec. Investigations, Ltd.*, 55 F.3d 1276, 1281 (7th Cir. 1995) ("We hold that individuals who do not otherwise meet the statutory definition of "employer" cannot be liable under the ADA."). Despite this warning, Scharlemann's Amended Complaint (Doc. 5) continues to target individuals, namely Defendants Denise Daum, Georgianne Broughton, Michael Taylor, and Janice Reynolds. Further, despite achieving service of process on the CRC, (*see* Doc. 7), no summons has been issued or executed with respect to said individuals.

Accordingly, the Court **ORDERS** Scharlemann to **show cause on or before July 16, 2010, why the Court should not dismiss Daum, Broughton, Taylor, and Reynolds without prejudice. If he fails to do so, said individuals will be dismissed from this matter.**

IT IS SO ORDERED.

Dated: June 17, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE